

DISCLOSURE DIVISION

☒ WAIVER REQUEST
☐ ANSWER
☐ RECONSIDERATION REQUEST
☐ UNTIMELY

DATE: 10/30/2020

DOCKET #:

Ashley Wimberley, Director
Disclosure Division

FILER INFORMATION

Name: Lance D. Query
Address: 351 Audubon Street, New Orleans, LA 70118
Office/Position: Cypress Academy
Dates of Service: 2014-2019
Number of Disclosures and/or Amendments Filed with Agency: 6

REPORT INFORMATION

Name of Report: Tier 3 Annual Personal Financial Disclosure covering calendar year 2018
Report ID: PFD20009763
Original Due Date: 5/15/2019
NOD Received: 7/1/2019 - Signed by: L. Query
PFD/Answer Due Date based on NOD: 7/11/2019
PFD/Answer Filed: 9/29/2020

LATE FEE INFORMATION

Amount of Late Fee: \$1500
Days late from receipt of NOD: 446
Total days late from initial due date: 503
Late Fee Order Received: 9/25/2020
Payment/Waiver Request Due Date: 10/15/2020
Waiver Request Received: 10/7/2020

COMMENTS:

Lance Query stated the Cypress Academy was a public charter school of the Orleans Parish School Board (OPSB). The school was founded to educate students, with autism, dyslexia, and other learning disabilities; 20% of admissions were earmarked for such students. He served as president of the Cypress Charter School Association Board and by all accounts (parents, teachers, OPSB administrators), the school was successful in its mission. Serving students with learning disabilities required more staff and despite extraordinary efforts to raise additional public and private funds for additional staff, by mid-2017 it was evident that Cypress could no longer sustain the costs of such a labor-intensive school. In June 2018, Cypress assets were transferred and its charter was surrendered to OPSB. Prior to this, he filed all of his PFD's timely. When he received the NOD, he contacted the BOE and explained to the compliance officer that the school was closed. He offered to provide additional information, but the compliance officer stated she would contact the OPSB. He never heard back from her, so he thought his explanation was sufficient and that the matter was settled. He then received a confidential investigation letter and on 11/4/2019, he spoke with the Investigator regarding his previous communication with the compliance officer. The Investigator stated he would be in contact with OPSB and that he would let him know if anything new comes up. Query stated he never received a response, until he received the late fee order. He contacted the Investigator again, who apologized for the misunderstanding, advised him to file, and submit an appeal. Mr. Query thanks the Ethics Board for considering waiving his late fee. *This is Mr. Query's first late filing and first late fee.

OTHER LATE FEE INFORMATION

Disclosure Statements:

- Other Outstanding Statements: No
- Other Outstanding Late Fees: No
- Prior Late Fees: No
- Reassessed Late Fees: No

Campaign Finance:

- Outstanding Late Fees: No
- Prior Late Fees: No

— Charter renewed for the
2019-2020 school year
on Nov. 12, 2018
— Query was Board president
in 2018

Executive Secretary
Ethics Adjudicatory Board
P.O. Box 4368
Baton Rouge, Louisiana 70821

Re: Appeal

Dear Executive Secretary:

I am appealing the decision and assessment concerning my initial failure to submit the Tier 3 Annual Personal Financial Disclosure Statement (PFDS) for calendar year 2018 for Cypress Academy as described in Doris Bourgeois' letter to me of September 18, 2020.

Upon receipt of that letter, I called Roy Brees, Investigator for the Louisiana Ethics Administration Program, who has been handling my case. I asked Mr. Brees for advice concerning the decision and assessment of \$1,500. He advised me to 1) submit the PFDS for 2018 (which I have done) and 2) appeal the assessment directly to the Ethics Adjudicatory Board (which I am now doing).

Cypress Academy was a public charter school of the Orleans Parish School Board (NPSB) which was founded to educate students in Orleans Parish, with special emphasis upon serving students with autism, dyslexia, and other learning disabilities; twenty percent of admissions were earmarked for such students. I served as president of the Cypress Charter School Association Board. By all accounts (parents, teachers, OPSB administrators), we were successful in meeting our mission. By necessity, serving students with learning disabilities required more staff than a "normal" school. Despite extraordinary efforts to raise additional public and private funds in order the additional staff to meet the needs of our special students, by mid-2017 it became evident to Cypress administrators and Board and to OPSB administrators that Cypress could no longer sustain the costs of such a labor-intensive school and that its charter would need to be surrendered to OPSB; that transfer occurred in June 2018. Cypress assets were transferred to OPSB. As of then, the Cypress Board no longer existed. Owing to the transfer, I did not submit the PFDS for 2018; previously, I had submitted it for every year while I was on the Board.

In a letter of June 28, 2019 from Blair Perkins, Compliance Officer, Louisiana Board of Ethics, I was advised that I had failed to file the PFDS for 2018 and invited to "submit an answer explaining why you feel you were not required to file a PFDS." I explained to Perkins that the Cypress charter had been surrendered to OPSD and that the school was under the district's purview. Perkins was to contact OPSD for more information. I offered to provide additional information if needed via phone, mail, or in person. I never heard back from Perkins or anyone else at the Board of Ethics. Therefore, I thought my "answer explaining why you feel you are not required to file a PFDS" was sufficient and that the matter was settled.

I was wrong. In a letter of October 29, 2019 Roy Brees informed me of a "confidential investigation into a possible violation(s) of the Louisiana Code of Ethics" by me. On November 4, 2019 at 12:45 p.m., I related to Mr. Brees my previous communication with Blair Perkins, and the history and current status of Cypress with OPSB. He appeared (t me) to be satisfied with my explanation of events and advised that he would be in contact with OPSB. He said that he would appraise me "if anything new comes up." I heard nothing. The next communication I had with the Board of Ethics is the letter of September 18, 2020 from Ms. Bourgeois cited above informing me of the late fee assessment.

ETHICS BOARD REC'D
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As cited in paragraph 2 of this appeal, upon receipt of Ms. Bourgeois letter of September 18, 2020, I contacted Mr. Brees regarding this matter and advice regarding appeal. Again, his advice was to file the 2018 PFDS and appeal. Mr. Brees also "apologized" (his word) and was "sorry for the misunderstanding". I appreciate Mr. Brees gesture and professionalism. I also understand that case workload might have precluded Blair Perkins and Roy Brees following up with me on this matter. After all, it was a short period of only about six months (January to June) in the beginning of 2018 before the Cypress charter was formally transferred between the Cypress Board and OPSB.

I believe I have described the circumstances related to the transfer of the Cypress charter to OPSB. I tried to my best in good faith to communicate 1) the reasons for the gap between January and June of 2018 and 2) my good faith efforts to communicate with Blair Perkins and Roy Brees in clarifying these reasons.

My thanks to your panel for consideration of this appeal.

A handwritten signature in cursive script, appearing to read "Lance Query".

Lance Query, Ph.D.
Dean of Libraries, emeritus
Tulane University

351 Audubon St.
New Orleans, LA 70118